

TIMOTHY GRANT	§	
v.	§	CIVIL ACTION NO. 6:11cv372
JOHN WISENER, ET AL.	§	

The Plaintiff Timothy Grant, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. §1983 complaining of alleged violations of his constitutional rights in the Texas Department of Criminal Justice, Correctional Institutions Division. This Court ordered that the case be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Grant complains of a strip search which took place on July 14, 2009, in a complaint which he filed on July 19, 2011. The Defendants filed a motion to dismiss for lack of jurisdiction based upon the statute of limitations, arguing that Grant's claims accrued on July 14, 2009 and so the limitations period had expired by the time that he filed his complaint.

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Copies of the Magistrate Judge's Report were sent to the parties, but no objections were filed thereto; accordingly, the parties are barred from *de novo* review by the district judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has concluded that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 19) is hereby ADOPTED as the opinion of the District Court. It is further

ORDERED that the Defendants' motion to dismiss for lack of jurisdiction, based upon the expiration of the statute of limitations (docket no. 16) is hereby DENIED.

It is SO ORDERED.

SIGNED this 30th day of March, 2012.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE